

## HOUSE BILL NO. 461

INTRODUCED BY E. ARNTZEN

A BILL FOR AN ACT ENTITLED: "AN ACT MANDATING AN ANNUAL REPORTING REQUIREMENT FOR THE AMERICAN INDIAN ACHIEVEMENT GAP PAYMENT; AND AMENDING SECTION 20-3-330, MCA."

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:

**Section 1.** Section 20-9-330, MCA, is amended to read:

**"20-9-330. American Indian achievement gap payment.** (1) The state shall provide an American Indian achievement gap payment to public school districts, as defined in 20-6-101 and 20-6-701, for the purpose of closing the educational achievement gap that exists between American Indian students and non-Indian students.

(2) (a) The American Indian achievement gap payment is calculated as provided in 20-9-306, using the number of American Indian students enrolled in the district based on the count of regularly enrolled students on the first Monday in October of the prior school year as reported to the office of public instruction.

(b) A school district may not require a student to disclose the student's race.

(3) The district shall deposit the payment in the general fund of the district. The district shall file an annual report with the office of public instruction, on a form prescribed by the superintendent of public instruction and by a date specified by the superintendent, that specifies how funds from the American Indian achievement gap payment have supported activities and programs to close the achievement gap.

(4) On or before September 15, 2010, the office of public instruction shall report to the governor and the legislature on the change in status of standardized test scores, graduation rates, and drop-out rates of American Indian students using fiscal year 2006 data as a baseline."

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